

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6760

BILL NUMBER: HB 1096

NOTE PREPARED: Dec 22, 2005

BILL AMENDED:

SUBJECT: Limitation on Abortions.

FIRST AUTHOR: Rep. Woodruff

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that human life begins when a human ovum is fertilized by a human sperm. The bill makes performing any abortion that is not necessary to prevent a substantial permanent impairment of the life or physical health of the pregnant woman a Class C felony. It makes conforming amendments and a technical correction.

Effective Date: July 1, 2006.

Explanation of State Expenditures: This bill limits the circumstances under which an abortion may be performed. Currently, a person who knowingly or intentionally performs an abortion in violation of existing law commits a Class C felony. This bill would expand the circumstances to which the existing penalty would apply.

A Class C felony is punishable by a prison term ranging from two to eight years depending upon mitigating and aggravating circumstances. Assuming offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. However, any additional expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class C felony offenders is approximately two years.

Explanation of State Revenues: If additional court cases occur and fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class C felony is \$10,000. However, any additional revenues would likely be small.

Explanation of Local Expenditures: If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. However, any additional expenditures would likely be small.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, the amounts would likely be small.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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